

Magistrate Judge S. Kate Vaughan

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

AYNALEM Z. DEGEFA, *et al.*,

Plaintiffs,

v.

ALEJANDRO MAYORKAS, *et al.*,

Defendants.

Case No. C23-1870-SKV

STIPULATED MOTION TO HOLD
CASE IN ABEYANCE AND
~~[PROPOSED]~~ ORDER

Noted for: January 18, 2024

Plaintiff and Defendants, by and through their counsel of record, pursuant to Federal Rule of Civil Procedure 6 and Local Rules 7(d)(1), 10(g) and 16, hereby jointly stipulate and move to stay these proceedings until May 29, 2024. Plaintiffs brought this litigation pursuant to the Administrative Procedure Act and Mandamus Act seeking, *inter alia*, to compel U.S. Citizenship and Immigration Services (“USCIS”) to schedule an interview and adjudicate their asylum application. Defendants’ response to the Complaint is currently due on February 12, 2024. The parties are currently working towards a resolution to this litigation. For good cause, the parties request that the Court hold the case in abeyance until May 29, 2024.

Courts have “broad discretion” to stay proceedings. *Clinton v. Jones*, 520 U.S. 681, 706

1 (1997). “[T]he power to stay proceedings is incidental to the power inherent in every court to control
2 the disposition of the causes on its docket with economy of time and effort for itself, for counsel,
3 and for litigants.” *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936); *see also* Fed. R. Civ. P. 1.

4 With additional time, this case may be resolved without the need of further judicial
5 intervention. USCIS has scheduled Plaintiffs’ asylum interview for January 30, 2024. USCIS agrees
6 to diligently work towards completing the adjudication within 120 days of the interview, absent
7 unforeseen or exceptional circumstances that would require additional time for adjudication. If the
8 adjudication is not completed within that time, USCIS will provide a status report to the Court.
9 Plaintiffs will submit all supplemental documents and evidence, if any, to USCIS seven to ten days
10 prior to the interview date. Plaintiffs recognize that failure to submit documents prior to the
11 interview may require the interview to be rescheduled and the adjudication delayed. If needed,
12 Plaintiffs will bring an interpreter to the interview, otherwise the interview will need to be
13 rescheduled and the adjudication delayed. Once the application is adjudicated, Plaintiffs will dismiss
14 the case with each party to bear their own litigation costs and attorneys’ fees. Accordingly, the
15 parties request this abeyance to allow USCIS to conduct Plaintiffs’ asylum interview and then
16 process their asylum application.

17 As additional time is necessary for this to occur, the parties request that the Court hold the
18 case in abeyance until May 29, 2024. The parties will submit a status update on or before April 1,
19 2024 (60 days post-interview).

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1 Dated: January 18, 2024

Respectfully submitted,

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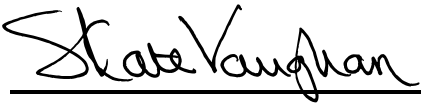
9 *I certify that this memorandum contains 398 words, in
compliance with the Local Civil Rules.*

10 s/ Jane Marie O'Sullivan
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14 *Attorney for Plaintiff*

~~PROPOSED~~ ORDER

The case is held in abeyance until May 29, 2024.¹ The parties shall submit a status update on or before April 1, 2024. It is so **ORDERED**.

DATED this 23rd day of January, 2024.

A handwritten signature in black ink, reading "S. Kate Vaughan", written over a horizontal line.

S. KATE VAUGHAN
United States Magistrate Judge

¹ The parties should note, however, that the deadline to decline consent to proceed before a magistrate judge remains January 30, 2024. *See* Dkt. 9.